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PATENT & TRADEMARK OFFICE

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

Inventor(s): Robert John MABBOTT

Filed: June 21, 2002

Group Art Unit: 1774

Division of Application No. 08/716,360

Examiner: Michael E. GRENDZYNSKI

Parent Filing Date: August 3, 1999

Title: TRANSFER MATERIAL

June 21, 2002

PETITION UNDER 37 C.F.R. §1.47(B)

Hon. Commissioner of Patents
Washington, D.C. 20231

Sir:

Applicant respectfully requests that the above-identified divisional application be accepted as a 37 C.F.R. §1.47(B) application, with the Declarations in Appendices A and C from the parent application being accepted as the Declaration for this divisional application.

To support this request, the following documents are enclosed:

APPENDIX A. A copy of the March 21, 1997 Response to Notification of Missing Requirement under 35 U.S.C. 371, including:

1. Combined Declaration and Power of Attorney with one added page to Combined Declaration and Power of Attorney for Signature by Persons with Sufficient Proprietary Interest on Behalf of Omitted Inventor(s) Who Refuse(s) to Sign or Cannot be Reached;
2. Declaration of Facts in Support of Filing on Behalf of Omitted Inventor;
3. Declaration Establishing Proprietary Interest by Person Signing on Behalf of Omitted Inventor;
4. Certificate under 37 C.F.R. § 3.73(b) signed by Alan Brian Porter; and
5. Declaration of Law of Roger B. Thomson.

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OFFICE OF PETITIONS

***Application of MABBOTT
Division of U.S. Application No. 08.716,360***

APPENDIX B. A copy of the July 13, 1998 Renewed Petition Under 37 C.F.R. §1.47(b), including:

1. Declaration of Facts in Support of Filing Resulting from Unavailability of Inventor.

APPENDIX C. A copy of the August 3, 1999 Response to Decision on Petition, including:

1. Substitute Declaration indicating the Title of the Person Signing; and
2. Supplementary Declaration of Facts in Support of Filing on Behalf of Omitted Inventor (37 CFR 1.47).

APPENDIX D. A copy of the PTO's Decision on Petition under 37 C.F.R. §1.47(B) dated February 27, 2000 entered in the parent application No. 08/716,360.

These documents provide sufficient proof and set forth the facts which were relied upon to establish the diligent effort made to secure the signature of the omitted inventor for parent application No. 08/716,360.

Applicant respectfully request that PTO's Decision on Petition under 37 C.F.R. §1.47(b) dated February 7, 2000 entered in the parent application No. 08/716,360 be also entered in the above-identified divisional application, and that the Declarations filed in the Appendix be considered as satisfying the requirement of an inventor-executed Declaration in this divisional application.

Respectfully submitted,

PILLSBURY WINTHROP LLP
Intellectual Property Group

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